

**AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]**

**Adopted and Filed Emergency After Notice**

Pursuant to the authority of Iowa Code sections 163.1, 166D.1, and 166D.13(4), the Department of Agriculture and Land Stewardship hereby amends Chapter 64, “Infectious and Contagious Diseases,” Iowa Administrative Code.

The amendments update the rules by eliminating the pseudorabies testing and isolation requirements for swine returning home or to a purchaser’s herd from a fair, exhibition or sale. Swine exhibition sponsors would be required to preregister and send a postevent report to the Department.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 9836B** on November 2, 2011. No comments were received from the public. These amendments are identical to those published under Notice.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Department finds that the normal effective date of these amendments, 35 days after publication, should be waived and the amendments be made effective January 1, 2012. The amendments confer a benefit upon the public because they will facilitate participation in certain swine shows. In addition, 2011 Iowa Acts, House File 557, becomes effective January 1, 2012, and the January 1 effective date for these amendments will reduce possible confusion about applicability of these changes.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 2011 Iowa Acts, House File 557.

These amendments will become effective January 1, 2012.

The following amendments are adopted.

ITEM 1. Amend rule 21—64.34(163), catchwords, as follows:

**21—64.34(163) Health requirements for exhibition of livestock, poultry and birds at the state fair, and district shows and exhibitions.**

ITEM 2. Rescind subparagraph **64.34(4)“b”(3)**.

ITEM 3. Amend rule 21—64.35(163), introductory paragraph, as follows:

**21—64.35(163) Health requirements for exhibition of livestock, poultry and birds at county exhibitions.** Each county fair shall have an official veterinarian who will inspect all livestock, poultry and birds when they are unloaded or shortly thereafter. No Certificate of Veterinary Inspection will be required on livestock, poultry and birds exhibited at a county 4-H or FFA show. Quarantined animals or animals from quarantined herds cannot be exhibited. Evidence of warts, ringworm, footrot, pinkeye, draining abscesses or any other contagious or infectious condition will eliminate the animal from the show.

ITEM 4. Amend subrules 64.35(1) and 64.35(2) as follows:

**64.35(1) Swine exhibition requirements.** ~~Swine exhibitors shall present to the veterinarian the following: a signed affidavit stating that the swine did not originate from a quarantined herd and that, to the best of the exhibitor’s knowledge, swine dysentery has not been in evidence in the exhibitor’s herd for the past 12 months; and, for swine originating from a Stage IV or lower-status county, a record of a negative pseudorabies test performed within 30 days before the exhibition, subject to 64.35(2). No pseudorabies testing is required for swine that originate from a Stage V county. “Swine exhibition” means an exhibit, demonstration, show, or competition involving an event on the state fairgrounds, a county fair, or other exhibition event. The sponsor of the exhibition must retain an Iowa licensed veterinarian to supervise the health of the swine at the exhibition location. The sponsor must electronically file the approved registration form and obtain approval from the state veterinarian at least 30 days before the event. The registration form includes the name of the exhibition and the address and telephone number of its location; the name, address and telephone number of the veterinarian; and the~~

date of the planned exhibition. Sales of swine will not be allowed unless the event has been registered and received approval from the state veterinarian 30 days prior to the event.

**64.35(2) *Exceptions Swine exhibition report required.*** No testing for pseudorabies shall be required at an exhibition that involves only market classes of swine, provided the animals are consigned directly to a slaughter establishment from the exhibition. The site from which the exhibited swine originate must have a current pseudorabies monitored status, or the exhibited swine must originate from a Stage IV or higher status county. Swine leaving the exhibition from a market class must be consigned and move directly to a slaughtering establishment. All market swine from Stage II counties must be vaccinated against pseudorabies. The sponsor of the swine exhibition shall electronically submit to the department the approved report form within five business days after the conclusion of the exhibition. The form includes the name of the exhibition and the address and telephone number of its location; the name, address and telephone number of the veterinarian; the date that the exhibition occurred; the name, address and telephone number of the owner of the swine; and the address and telephone number of the premises from which the swine was moved after the exhibition if such premises is a different premises.

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